

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

REGINALD T. LEWIS,

No. C 09-00163 SBA (PR)

Petitioner,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

R. K. WONG,

Respondent.

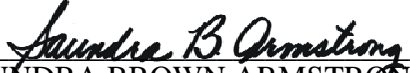
Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. Petitioner then filed an in forma pauperis application; however, he did not file copies of the Certificate of Funds and prisoner trust account statement.

On February 27, 2009, the Court issued an Order Regarding In Forma Pauperis Motion. The Court directed Petitioner to either pay the fee or submit his trust account statement and certificate of funds within thirty days of the date of the Order. Petitioner was also informed that the failure to pay the filing fee or file the requisite documents within the thirty-day deadline shall result in dismissal of this action.

More than thirty days have passed, and Petitioner has not paid the filing fee or filed the requisite documents. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Petitioner's case. Petitioner's in forma pauperis application is DENIED as incomplete. The Clerk of the Court shall close the file. This Order terminates Docket no. 3.

IT IS SO ORDERED.

DATED: 4/7/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA

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6
7 REGINALD T LEWIS,
8 Plaintiff,

Case Number: CV09-00163 SBA

CERTIFICATE OF SERVICE

9 v.

10 R K WONG et al,
11 Defendant.

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13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

14 That on April 8, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

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18 Reginald T. Lewis P95159
19 California State Prison - San Quentin
San Quentin, CA 94964

20 Dated: April 8, 2009

21 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
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